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7  
8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. *2013-496*

12 **JAMIE L. BERARDUCCI**  
13 **231 Manor Drive**  
**San Carlos, CA 94070**

**A C C U S A T I O N**

14 **Registered Nurse License No. 685567**  
15 **Clinical Nurse Specialist Certificate No. 3170**

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant), brings this Accusation solely in her  
20 official capacity as the Executive Officer of the Board of Registered Nursing (Board),  
21 Department of Consumer Affairs.

22 2. On or about August 4, 2006, the Board issued Registered Nurse License Number  
23 685567 to Jamie L. Berarducci (Respondent). The Registered Nurse License was in full force and  
24 effect at all times relevant to the charges brought herein and will expire on September 30, 2013,  
25 unless renewed.

26 3. On or about May 4, 2009, the Board issued Clinical Nurse Specialist Certificate  
27 Number 3170 to Respondent. The Clinical Nurse Specialist Certificate expired on September 30,  
28 2011, and has not been renewed.

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1       “(c) Be convicted of a criminal offense involving the prescription, consumption, or  
2 self-administration of any of the substances described in subdivisions (a) and (b) of this section,  
3 or the possession of, or falsification of a record pertaining to, the substances described in  
4 subdivision (a) of this section, in which event the record of the conviction is conclusive evidence  
5 thereof.”

6                                   COST RECOVERY

7       10. Code section 125.3 provides, in pertinent part, that the Board may request the  
8 administrative law judge to direct a licentiate found to have committed a violation or violations of  
9 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
10 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being  
11 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
12 included in a stipulated settlement.

13                                   FIRST CAUSE FOR DISCIPLINE

14                                   (Substantially-Related Conviction)

15       11. Respondent is subject to disciplinary action under Code sections 490 and 2761(f) in  
16 that, on or about September 13, 2011, in San Mateo County Superior Court, Case Number  
17 SM375168A, Respondent was convicted of having violated Vehicle Code section 23152(b)  
18 (driving with a blood alcohol level of .08 percent or higher). Respondent admitted driving with a  
19 blood alcohol content of .20 percent or higher. Imposition of sentence was suspended and  
20 Respondent was placed on three years probation and ordered to, among other things, serve 12  
21 days jail time, and complete a 90-day residential treatment program. The conviction arose from  
22 Respondent's arrest on or about January 29, 2011, after Respondent flagged down Menlo Park  
23 police officers for assistance. Respondent told the officers that she was lost and was coming from  
24 work at El Camino Hospital. Responding officers found an almost empty bottle of vodka under  
25 the driver seat of Respondent's car. Respondent's blood alcohol level was measured at .24  
26 percent.

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1 SECOND CAUSE FOR DISCIPLINE

2 (Dangerous/Injurious Use of Alcohol)

3 12. Respondent is subject to disciplinary action under Code section 2762(b) in that, on or  
4 about January 29, 2011, she used alcohol in a manner dangerous or injurious to herself or others,  
5 as described in paragraph 11, above.

6 THIRD CAUSE FOR DISCIPLINE

7 (Alcohol-Related Conviction)

8 13. Respondent is subject to disciplinary action under Code section 2762(c) in that, on or  
9 about September 13, 2011, she was convicted of a criminal offense involving the consumption of  
10 alcohol, as described in paragraph 11, above.

11 PRAYER

12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
13 and that following the hearing, the Board of Registered Nursing issue a decision:

14 1. Revoking or suspending Registered Nurse License Number 685567, issued to Jamie  
15 L. Berarducci;

16 2. Revoking or suspending Clinical Nurse Specialist Certificate Number 3170, issued to  
17 Jamie L. Berarducci;

18 3. Ordering Jamie L. Berarducci to pay the Board of Registered Nursing the reasonable  
19 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
20 Code section 125.3;

21 4. Taking such other and further action as deemed necessary and proper.

22  
23 DATED: December 17, 2012

*for* Stacie Bern  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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